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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Martin BAUMERT et al.

Group Art Unit 1772

Serial No.: 10/804,191

Examiner: Unknown

Filed: March 19, 2004

For: MULTILAYER STRUCTURE BASED ON POLYAMIDES AND GRAFT
COPOLYMERS HAVING POLYAMIDE BLOCKS

PETITION TO ACCEPT A DELAYED CLAIM FOR PRIORITY
UNDER 35 U.S.C. (a)-(d)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants respectfully petition the Commissioner to accept a delayed claim for priority, on the following grounds:

1. A claim of priority was made in the declaration filed with the missing parts response on August 2, 2004. It was just noticed that this amounted to more than 4 months after the filing date of the application of March 19, 2004. Actually, when the application was filed on March 19, 2004, the last paragraph in the specification incorporated the French priority application 03/03494 by reference, but the paragraph did not specifically claim priority. It is not known whether this incorporation by reference will be sufficient to perfect a claim of priority. If it is, then the following parts of this petition are unnecessary.
2. Attached is the surcharge set forth in 37 C.F.R. 1.17(t), an amount of \$1370.00. The entire delay between the date of the claim of priority and the date the claim was due under paragraph (a)(1) was unintentional.

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1370.00 OP

In conclusion, it is respectfully requested that the petition be granted.

Respectfully submitted,



I. William Millen, Reg. No. 19,544
Attorney for Applicants

MILLEN, WHITE, ZELANO
& BRANIGAN, P.C.
Arlington Courthouse Plaza I
2200 Clarendon Blvd. Suite 1400
Arlington, Virginia 22201
Telephone: (703)243-6333
Facsimile: (703) 243-6410

Attorney Docket No.: ATOCM-0349

Date: November 14, 2005

IWM:pdr